

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION**

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**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**JAMES V. DAY,**

**Defendant.**

**CR 17-18-H-SEH**

**ORDER**

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Upon Petition of Mark Smith and Jeffrey K. Starnes, Assistant United States Attorneys for the District of Montana, and good cause appearing therefore,

IT IS HEREBY ORDERED that the Clerk of This Court issue a Writ of Habeas Corpus (for prosecution) directing the Warden of Montana State Prison, the Sheriff of Cascade County and the United States Marshal for the District of

Montana, to produce James V. Day (currently housed at the Cascade County Jail) before the Court at the Magistrate Judge's Courtroom in Great Falls, Montana, at 10:00 a.m. on Tuesday, November 14, 2017, and James V. Day is to stay in federal custody until the conclusion of this case. James V. Day shall then be returned to the custody of the Warden of Montana State Prison.

DATED this 9th day of November, 2017.



John Johnston  
United States Magistrate Judge